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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/732,874	12/11/2000	Hidekazu Arao	1538.1005/JDH	2172

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EXAMINER
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TRUONG, LECHI

ART UNIT	PAPER NUMBER
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2194

DATE MAILED: 04/04/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/732,874

Applicant(s)

ARAO, HIDEKAZU

Examiner

LeChi Truong

Art Unit

2126

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 01 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 21-30 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 21-30 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. §§ 119 and 120

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).  
a) ☐ All b) ☐ Some \* c) ☐ None of:  
1. ☐ Certified copies of the priority documents have been received.  
2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.  
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).  
\* See the attached detailed Office action for a list of the certified copies not received.
- 13) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.  
a) ☐ The translation of the foreign language provisional application has been received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

## Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892) 4) ☐ Interview Summary (PTO-413) Paper No(s). \_\_\_\_\_
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948) 5) ☐ Notice of Informal Patent Application (PTO-152)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) \_\_\_\_\_ 6) ☐ Other: \_\_\_\_\_

### DETAILED ACTION

1. Claims 21-30 are presented for the examination. Claims 1-20 are cancelled.

#### *Claim Rejections - 35 USC § 102*

(b) The invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

2. Claims **21-30** are rejected under 35 U.S.C. 102(b) as being anticipated by Nicholls et al (US. Patent 6,662,232 B1).

3. **As to claim 21**, Nicholls teaches a received message (E-mail message, col 4, ln 50-55/ col 9, ln 45-53), a time (the time, col 9, ln 47-54/ first time period, col 10, ln 57-65), predetermined condition (the subscribers criteria as pre programmed by the processor, col 4, ln 49-52), a predetermined condition including a requirement relating to a time when said received message occurred is fulfilled (col 9, ln 45-54), a process corresponding to the fulfilled predetermined condition (that email is faxed to a facsimile device at telephone number: 123-456-7890, col 10, ln 56-65), performing a process corresponding to the fulfilled predetermined condition if said judging means judged that said received message fulfilled said predetermined condition, including the required to the time when said received message occurred ( col 10, ln 56-65), passing said received message to a standard destination of said received message if said judging means judged that said received message did not fulfill said predetermined condition( col 6, ln 44-52), at least one modification of setting of display destination of substantial contents of said received message( col 10, ln 2-7), setting display destination/ recording destination of said received message( if an email message intended for the subscriber is received within the first time period( 1:30 pm, Dec. 12, 1998) then that e-mail is faxed to a facsimile device at

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telephone number, col 10, ln 56-65), a content of said process corresponding to said fulfilled predetermined condition( Nicholls@pb.com from allport@home.com ... 111-22-3333, col 6, ln 18-22/ Fig. 7), requirement relating to said time when received message occurred( time period, fig 10, col 10, ln 50-55), combination of a plurality of message( e-mail messages, col 1, ln 45-48/ col 5, ln 12-14/ col 8, ln 55-60/ col 12, facsimile messages , col 3, ln 61-63/ converted email message, col 12, ln 56-60/ there are different messages are sent from the sender 16 to sub-system 18, 20, 22, 24 for retransmitting to another location based on the their requirements , fig. 1, col 3, ln 51-55/ ln 65-67), a requirement( time criteria, col 1, ln 47-49), have accumulated in the facsimile database 30/ have accumulated in the telephony database, col 8, ln 54-56/ ln 59-62/ ln 63-64/ first time period/ second time period, col 10, ln 57-63/the predetermined communication format, col 12, ln 56-60), a requirement relating to a combination of a plurality of messages is fulfilled ( col 1, ln 47-49/ col 3, ln 55-63/ col 9, ln 7-13/ col 12, ln 56-60).

4. **As to claim 22**, it is an apparatus claim of claim 1; therefore, it is rejected for the same reason as claim 1 above.

5. **As to claim 23**, Nicholls teaches an operation specified by each of the combination of the plurality of messages is different (col 3, ln 60-63/ col 4, ln 9-13/ col 5, ln 12-13), the process carried out for each message corresponds to the operation specified (col 10, ln 3-7).

6. **As to claim 24**, it is an apparatus claim of claim 23; therefore, it is rejected for the same reason as claim 23 above.

7. **As to claim 25**, Nicholls teaches sending the first message to a specified workstation (col 10, ln 5-8).

8. As to claim 26, Nicholls teaches the second message to a designated for holiday work (col 4, ln 19-22).

9. As to claims 27, 28, they are apparatus claims of claims 25, 26; therefore, they are rejected for the same reasons as claims 25, 26 above.

10. As to claim 29, Nicholls teaches a requirement that the message be received during a specified time period (col 10, ln 56-59).

11. As to claim 30, it is an apparatus claim of claim 29; therefore, it is rejected for the same reason as claim 29 above.

**Response to the argument:**

12. Applicant amendment filed on 9/03/04 has been considered but they are not persuasive:

Applicant argued in substance that :

(1) “ Nicholls does not show any conditions including a requirement relating to a combination of a plurality of message”.

13. Examiner respectfully disagreed with Applicant's remarks:

As to the point (1), Nicholls teaches e-mail messages based upon time criteria for conventionally enabling the recipient to retrieve e-mail messages( col 1, ln 47-48).

**THIS ACTION IS MADE FINAL.** Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

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will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the mailing date of this final action.

17.

***Conclusion***


Any inquiry concerning this communication or earlier communications from the examiner should be directed to LeChi Truong whose telephone number is (703) 305 5312. The examiner can normally be reached on 8 - 5.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Meng-Ai An can be reached on 703-305-9678. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIP. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIP system, contact the Electronic Business Center (EBC) at 866-217-9197(toll-free).

LeChi Truong

April 1, 2005

  
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